IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 33747 of 2006(P)

PETITIONER:

DHAKSHAYANIAMMA,
W/O.SANKARAN NAIR, PILATHODATHIL MEETHAL,
KOTTAMPARAMBU, KOZHIKODE.

BY ADV. SRI.SUBHASH CYRIAC

RESPONDENTS:

---

1. STATE OF KERALA REPRESENTED BY
SECRETARY TO DEPARTMENT OF CO-OPERATION
THIRUVANANTHAPURAM.

2. THE CALICUT CO-OPERATIVE URBAN
BANK LTD., NO.1538, KALLAI ROAD,
KOZHIKODE.

3. THE ASSISTANT REGISTRAR,
CO-OPERATIVE SOCIETIES, KOZHIKODE.

R1 BY GOVT. PLEADER SRI.I.V.PRAMOD
BY ADV. SRI.M.ASOKAN
SRI.DEVAPRASANTH.P.J.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.33747 OF 2006

Dated this the 21st day of March, 2007

JUDGMENT

Heard counsel for parties.

2. The petitioner does not find any ground to sustain the challenge against the impugned action. Ultimately, learned counsel for the petitioner requested that the petitioner may be permitted to pay off the outstandings in instalments. Hence this writ petition is disposed of directing that if the petitioner remits amounts at the rate of Rs.15,000/- per month, payable on or before the last working day of every month, commencing from April, 2007, after paying an amount or Rs.20,000/- on or before 30.3.2007 and thus wipes off the entire outstandings, the impugned distress action will stand suspended. If there is default in remitting any of the amounts as aforesaid, the benefit

of this judgment shall stand recalled automatically and distress action shall follow forthwith.

The writ petition is disposed of with the above direction.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.